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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MORROW, JASON S

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/611,843

Applicant(s)

WHITE ET AL.

Examiner

Jason S. Morrow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/9/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-18 and 20-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not disclose how a complicated structure such as the inner and outer member can be made in one-piece. Furthermore, constructing the inner or outer member from a single sheet of material seems to be impractical.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8, 16, 19, 20, 23-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Schroeder et al '458..

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Re claim 1, Schroeder et al. discloses a body and frame assembly for a vehicle comprising a one-piece inner member (16) mated with a one-piece outer member (12), said members defining door openings for opposing sides of the vehicle.

Re claim 2, the inner member includes an inner roof panel portion (92', 94') having opposite ends, a first inner side frame portion (unmarked, the support for the windshield extending from 92') at one end and a second inner side frame portion (22') at the opposed end, wherein said inner side frame portions extend generally downward from the inner roof panel portion, wherein the outer member includes an outer roof panel portion (46, 48) having opposite ends, a first outer side frame portion (30) at one end and a second outer side frame portion (36) at the opposed end, wherein said outer side frame portions extend generally downward from the outer roof panel portion wherein said first inner and first outer side frame portions substantially define at least one door opening and said second inner and second outer side frame portions substantially define at least one other door opening, and wherein the inner member and the outer member are joined as an assembly.

Re claim 3, the first inner and first outer side frame portions substantially define at least two door openings and the second inner and second outer side frame portions substantially define at least two other door openings (see figure 2).

Re claim 4, each of the inner and the outer side frame portions forms a door ring having an unbroken ring shape (see figure 2).

Re claim 5, the inner and outer side frame portions each include a plurality of pillar portions (30, 22', 36, the support for the windshield extending from 92') and rocker portions (28,

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26, 102'), wherein the pillar portions are disposed between and connect the roof panel portions and the rocker portions.

Re claim 6, the plurality of pillar portions includes at least one of an A-pillar, B-pillar and a C-pillar.

Re claim 7, the inner roof panel is characterized by formations configured to provide structural rigidity (the ridges of 92').

Re claim 8, the inner and outer members define holes for at least one of door hinges, wiring and trim components (the inner and outer member door openings are holes for trim members, that being doors and their associated components).

Re claim 16, the inner member and the outer member are joined at least partially by bonding (column 1, line 47).

Re claim 19, Schroeder et al. discloses a body and frame assembly for a vehicle comprising an integral inner member including an inner roof panel portion having opposite ends, a first inner side frame portion at one end and a second inner side frame portion at the opposed end, wherein said inner side frame portions extend generally downward from the inner roof panel portion; and an integral outer member matable with the inner member including an outer roof panel portion having opposite ends, a first outer side frame portion at one end and a second outer side frame portion at the opposed end, wherein said outer side frame portions extend generally downward from the outer roof panel portion wherein said first inner and first outer side frame portions substantially define at least one door opening and said second inner and second outer side frame portions substantially define at least one other door opening; and wherein the inner

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member and the outer member are joined as an assembly (see the claims above and reference numerals cited which point out all the structure of this claim).

Re claim 20, Schroeder et al. discloses a method of assembling a vehicle, the method comprising forming a one-piece inner member (16), forming a one-piece outer member (12) matable with the inner member, and mounting the inner and outer members to each other such that the inner and outer members define door openings at opposing sides of the vehicle.

Re claim 23, the method further comprises trimming the inner member (with doors for example).

Re claim 24, the method further comprises trimming the outer member (with door for example).

Re claim 25, the method further comprises modifying the inner member such that it defines holes for door hinges, wiring and trim components (the door openings are holes for trim members, namely doors and their associated components).

Re claim 26, the method further comprises modifying the outer member such that it defines holes for door hinges, wiring and trim components (the door openings are holes for trim members, namely doors and their associated components).

Re claim 27, the method further comprises mounting the joined inner and outer members to a vehicle chassis (it is inherent that the vehicle will require a chassis) to at least partially define a vehicle passenger compartment.

Re claim 28, the method further comprises providing a body and frame assembly, wherein the body and frame assembly includes a one-piece inner member (16) and a one-piece

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outer member (12) matable with the inner member, and wherein said inner and outer members define door openings at opposing sides of the vehicle.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jaekel et al., Schroeder et al. '768, and Schroeder et al. '301, disclose vehicle frames.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason S. Morrow whose telephone number is (703) 305-7803. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 16, 2004

Jason S. Morrow  
Examiner  
Art Unit 3612

  
JASON MORROW  
PATENT EXAMINER  
4/16/04